

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Petition of Qwest Corporation for	)	WC Docket No. 04-416
Forbearance Pursuant to 47 U.S.C. § 160(c)	)	
Pertaining to Qwest's xDSL Services	)	

MOTION TO WITHDRAW

Qwest Corporation ("QC"), pursuant to Section 1.41 of the rules of the Federal Communications Commission ("Commission"),<sup>1</sup> hereby files this Motion to Withdraw its Petition for Forbearance Pursuant to 47 U.S.C. § 160(c) of November 10, 2004. The QC Petition was publicly noticed by the Wireline Competition Bureau on November 16, 2004.<sup>2</sup> Subsequently, the Commission adopted a Report and Order and Notice of Proposed Rulemaking in CC Docket Nos. 02-33, *et al.*, *In the Matters of Appropriate Framework for Broadband Access to the Internet over Wireline Facilities*, FCC 05-150, released Sept. 23, 2005.<sup>3</sup> In light of release of the Report and Order, QC requests that the Commission grant this Motion to Withdraw its Petition for Forbearance.

Pursuant to paragraph 14 of the Protective Order adopted herein on December 1, 2004, QC requests that any parties that received confidential documents either return those documents

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<sup>1</sup> 47 C.F.R. § 1.41.

<sup>2</sup> *Comments Invited on Petition for Forbearance Filed by Qwest Corporation Regarding Qwest's DSL Service*, WC Docket No. 04-416, Public Notice, 19 FCC Rcd 22591 (WCB 2004).

<sup>3</sup> 20 FCC Rcd 14853 ("Report and Order").

to the submitting party or destroy them within two weeks of the grant of this Motion and the termination of this proceeding.<sup>4</sup>

Respectfully submitted,

QWEST CORPORATION

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November 8, 2005

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<sup>4</sup> 19 FCC Rcd 23512, 23514 ¶ 14 (WCB 2004).

CERTIFICATE OF SERVICE

I, Ross Dino, do hereby certify that I have caused the foregoing **MOTION TO WITHDRAW** to be 1) filed with the FCC via its Electronic Comment Filing System in WC Docket No. 04-416, 2) served, via e-mail, on Ms. Janice Myles, Competition Policy Division, Wireline Competition Bureau at [janice.myles@fcc.gov](mailto:janice.myles@fcc.gov), 3) served, via e-mail, on the FCC's duplicating contractor Best Copy and Printing, Inc. at [fcc@bcpweb.com](mailto:fcc@bcpweb.com), and 4) served via First Class United States mail, postage prepaid, on the parties listed on the attached service list.

/s/ Ross Dino

Ross Dino

November 8, 2005

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